

SENATE BILL 2985

By Fowler

AN ACT to amend Tennessee Code Annotated, Section 1-3-105, relative to protecting infants who are born alive.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Born-Alive Infants Protection Act of 2006".

SECTION 2. Tennessee Code Annotated, Section 1-3-105, is amended by adding the following as a new, appropriately designated subdivision:

( )

(A) "Born alive", with respect to a member of the species homo sapiens, means the complete expulsion or extraction from such member's mother, at any stage of development, which member, after such expulsion or extraction, breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion;

(B) In determining the meaning of any act of the general assembly, or of any ruling, regulation, or interpretation of the various administrative agencies of the state of Tennessee, the words "person", "human being", "child," and "individual" shall include every infant member of the species homo sapiens who is born alive at any stage of development;

(C) Nothing in this subdivision shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being born alive, as defined in this subdivision.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it.